

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

YURMAN STUDIO, INC. and YURMAN : Civil Action No. 07-1241 (SAS)(HP)  
DESIGN, INC., : (Action No. 1)

### **Plaintiffs/Counter-Defendants,**

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

#### **Defendants/Counter-Plaintiffs.**

CARTIER, a division of RICHEMONT NORTH AMERICA, INC., CARTIER INTERNATIONAL, N.V., CARTIER CREATION STUDIO, S.A., VAN CLEEF & ARPELS S.A., VAN CLEEF & ARPELS, INC., VAN CLEEF & ARPELS DISTRIBUTION, INC., GUCCI AMERICA, INC., and BULGARI S.p.A..

**Plaintiffs.**

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

#### **Defendants.**

Civil Action No. 07-1241 (SAS)(HP)  
(Action No. 1)

x

X

Civil Action No. 07-7862 (SAS)(HP)  
(Action No. 2)

x

**DECLARATION OF DAVID YURMAN IN SUPPORT OF  
YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

## **EXHIBIT E**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

## FORM VA

For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

RE

VA 1-024-280

#100001024-280

## EFFECTIVE DATE OF REGISTRATION

*Aug 21 2000*  
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

## 1 TITLE OF THIS WORK ▼

Hampton Collection Enhancer D06377

## NATURE OF THIS WORK ▼ See instructions

Jewelry Design

## PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

## 2 a NAME OF AUTHOR ▼

David Yurman

## DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

1942

Was this contribution to the work a "work made for hire"?

Yes  
 No

Author's Nationality or Domicile  
Name of Country

OR Citizen of ▶ U.S.A.  
Domiciled in ▶ New York

## Was This Author's Contribution to the Work

Anonymous?  Yes  No  
Pseudonymous?  Yes  No  
If the answer to either of these questions is "Yes," see detailed instructions.

## NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

## NAME OF AUTHORSHIP Check appropriate box(es). See instructions

3-Dimensional sculpture     Map     Technical drawing  
 2-Dimensional artwork     Photograph     Text  
 Reproduction of work of art     Jewelry design     Architectural work

## b NAME OF AUTHOR ▼

## DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes  
 No

Author's Nationality or Domicile  
Name of Country

OR Citizen of ▶  
Domiciled in ▶

## Was This Author's Contribution to the Work

Anonymous?  Yes  No  
Pseudonymous?  Yes  No  
If the answer to either of these questions is "Yes," see detailed instructions.

## NAME OF AUTHORSHIP Check appropriate box(es). See instructions

3-Dimensional sculpture     Map     Technical drawing  
 2-Dimensional artwork     Photograph     Text  
 Reproduction of work of art     Jewelry design     Architectural work

## 3 a

Year in Which Creation of This Work Was Completed  
1998

This information must be given  
< Year in all cases.

Date and Nation of First Publication of This Particular Work  
Complete this information Month ▶ AUGUST Day ▶ 13 Year ▶ 1998

Nation

## 4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Yurman Design Inc.

561 Madison Avenue  
New York, NY 10022

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimants obtained ownership of the copyright. ▼

Assignment from David Yurman

APPLICATION RECEIVED

AUG 21 2000

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

NO FUNDS RECEIVED

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
• See detailed instructions.

DO NOT WRITE HERE  
Page 1 of 2 pages

EXAMINED BY	DW	FORM VA
CHECKED BY		
<input type="checkbox"/> CORRESPONDENCE	FOR	
Yes	COPYRIGHT OFFICE USE ONLY	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼  
 a.  This is the first published edition of a work previously registered in unpublished form.  
 b.  This is the first application submitted by this author as copyright claimant.  
 c.  This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

**DERIVATIVE WORK OR COMPILED** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
 Name ▼ Account Number ▼

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent.  
 Joseph Ramirez/Yurman Design Inc.  
 501 Madison Avenue  
 New York, NY 10022

Area code and daytime telephone number ► (212) 896-1550

Fax number ► (212) 593-1597

Email ► jramirez@davidyurman.com

**CERTIFICATION\*** I, the undersigned, hereby certify that I am the

check only one ►

{  author  
 other copyright claimant  
 owner of exclusive right(s)  
 authorized agent of Yurman Design Inc.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

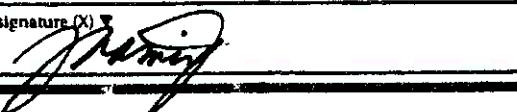
of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Joseph Ramirez

Date ► July 28, 2000

Handwritten signature (X) ▼



Certificate will be mailed in window envelope to this address:

Name ▼	Yurman Design Inc. / Joseph Ramirez
Number/Street/Apt ▼	501 Madison Avenue
City/State/Zip ▼	New York, NY 10022

YOU MUST  
 • Complete all necessary spaces  
 • Sign your application in space 8  
 SEND ALL 3 ELEMENTS  
 IN THE SAME PACKAGE

1. Application form  
 2. Nonrefundable filing fee in check or money order payable to Register of Copyrights  
 3. Deposit material

MAIL TO

Library of Congress  
 Copyright Office  
 101 Independence Avenue, S.E.  
 Washington, D.C. 20559-5000

\*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



**D06377**

**FREE GROUND SHIPPING**  
USA orders over \$60

**WE SHIP INTERNATIONALLY**  
See shipping policy

HOME NECKLACES & PENDANTS EARRINGS BRACELETS RINGS WATCHES GIFT REGISTRY SHOPPING BAG

**800.586.0020**

Mon-Fri 9am-6pm EST

**Search**

#### FEATURED ITEMS

[Valentine's Day Jewelry](#)

[Clearance Sale](#)

New Arrivals

Best Sellers

Celebrity Jewelry

#### COLLECTIONS

Tiffany Inspired Jewelry

David Yurman Inspired Jewelry

Designer Inspired Jewelry

Designer Inspired Baby Charms

Men's Jewelry

#### CATEGORIES

Engagement Rings

Chandelier Earrings

Bridal Jewelry

Heart Shaped Jewelry

Tennis Bracelets & Necklaces

Chains

Cufflinks

Religious Jewelry

Equestrian Jewelry

#### DEPARTMENTS

Watches **NEW!**

Bracelets

Necklaces & Pendants

Earrings

Rings

Pins & Brooches

Ankle Bracelets

Accessories

Baby Gifts & Charms

[Clearance Sale Jewelry](#)

#### MATERIALS

Sterling Silver & CZ

Gold Jewelry

Pearls

Diamond Jewelry

Gemstone Jewelry

Turquoise Jewelry

# Overstock Jeweler

**SAVE 10% TOC**  
Click for email speci

**NO RISK INVOLV**

30-Day Moneyback Guarant

**ORDERS USUALLY SHIP SAME BUSINESS DAY. FREE GROUND SHIPPING ON ORDER OVER \$**

[Home](#) > David Yurman Inspired Cable Designed Pearl Drop Earrings

#### David Yurman Inspired Cable Designed Pearl Drop Earrings



Availability: **In Stock**

Order Now &  
Ships:

Item #: TF4121

List Price: \$129.99

**Our Price: \$39.99**

**Add to Shopping Bag**

#### New Flat Shipping Rates:

**FREE GROUND Shipping**

on orders over \$60

USA East Coast Ground \$4.50

USA Mid West Ground \$5.50

USA West Coast Ground \$6.75

Intl. Shipping is \$25. [more Info](#)

#### Our Bestsellers

Chanel -esque Inspired  
Diamond CZ Encrusted  
Sterling Silver Hoop  
Earrings  
**\$49.99**

#### Matching Items

Bulgari Jewelry Inspired  
Lucea Multi Strands Pearl  
and Cubic Zirconia Sterling  
Silver Necklace  
**\$99.99**



Mikimoto Inspired Style  
Bridal Cubic Zirconia Pearl  
Engagement Ring w/  
Channel Set Czs  
**\$34.99**



David Yurman Inspired Pe  
and Oval Link Chain  
Bracelet  
**\$69.99**



David Yurman Inspired Go  
and Silver Oval Link with  
Pearl Chain Necklace  
**\$119.99**



#### OTHER VIEWS:



**Click to enlarge**

#### DESCRIPTION:

These are beautiful David Yurman inspired cabled pearl earrings. They have two pearls approximately 1mm in diameter each. This is the perfect opportunity to have the same style at a fraction of the cost. These earrings match perfectly with all silver and pearl jewelry. For pierced ears only.

#### Measures:

Pearls measure 1mm in width

#### Weight:

4 grams total weight

#### Material:

.925 Sterling Silver Pearl

#### Category:

silver bracelet

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

The Yurman Copyrighted Designs & The Overstock Jeweler Infringing Products

U.S. Copyright Reg. No.	Yurman Item / Deposit Material & Item No.	Overstockjeweler.com Item & Item No.
VA 1-024-280		D06377
		TF4121